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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,407	11/15/2001	Ofer Elzam	U 013720-5	1004

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NEW YORK, NY 10023

EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,407

Applicant(s)

ELZAM ET AL.

Examiner

Arezoo Sherkat

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-389 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-389 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/02, 4/03, 2&11/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claims 1-389 have been presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-389 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-389 recite of software alone of itself that is not tangibly embodied. The abstract idea of the claimed invention is directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-389 are rejected under 35 U.S.C. 102(b) as being anticipated by Holden et al., (U.S. Patent No. 5,832,228 and Holden hereinafter).

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Regarding claims 1, 13, 18-20, 24-26, 30-32, 36-38, 42-44, 49, 51, 53, 60, 62, 64, 92, 116, 128, 133-135, 139-141, 145-147, 151-153, 157-159, 164, 166, 168, 175, 177, 179, 207, 243, 249, 251, 253, 311, 315, 317, 319, 321, 367, 373, 375, and 377, Holden discloses a security routing methodology comprising:

sensing information contained in an object, analyzing said information to determine a security classification thereof (Col. 9, lines 46-67 and Col. 10, lines 1-30); and

routing the object to at least one address selected at least partially in accordance with said security classification (Col. 10, lines 14-67 and Col. 11, lines 1-40).

Regarding claims 80, 68, 17, 23, 29, 35, 41, 47, 58, 104, 132, 138, 144, 150, 156, 162, 173, 183, 195, 219, 247, and 371, Holden discloses a security routing methodology comprising:

sensing information contained in an object, analyzing said information to determine a security classification thereof (Col. 9, lines 46-67 and Col. 10, lines 1-30); and

routing said object to at least one node selected from at least one destination node and at least one intermediate node which is selected at least partially in accordance with said security classification (Col. 10, lines 14-67 and Col. 11, lines 1-40).

Regarding claims 5-8, 10, 12, 22, 28, 34, 40, 48, 50, 52, 54, 56, 59, 61, 63, 65, 67, 72-75, 77, 79, 84-87, 89, 91, 96-99, 101, 103, 108-111, 113, 115, 120-123, 125,

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127, 137, 143, 149, 155, 163,165, 167, 169, 171, 174, 176, 178, 180, 182, 187-190, 192, 194, 199-202, 204, 206, 211-214, 216, 218, 223-226, 228, 230, 235-238, 240, 242, 248, 250, 252, 254, 256, 263-266, 273-276, 283-286, 293-296, 303-306, 308, 310, 316, 318, 320, 322, 324, 331-334, 341-344, 351-354, 361-364, 372, 374, 376, 378, and 380, Holden discloses a security routing methodology according to claim 1 and wherein said security classitscation comprises at least one of:

secrecy classification, danger classification, maliciousness classifcation, and suspiciousness classification (Col.1, lines 20-54 and Col. 5, lines 54-67 and Col. 6, lines 1-20).

Regarding claims 2-3, 14-15, 69-70, 81-82, 93-94, 105-106, 117-118, 129-130, 184-185, 196-197, 208-209, 220-221, 232-233, 244-245, 260-261, 270-271, 280-281, 290-291, 300-301, 312-313, 328-329, 338-339, 348-349, 358-359, and 368-369, Holden discloses a security routing methodology according to claim 1 and wherein said object comprises of at least one of:

a file, an e-mail message, a web page, and a communieation packet (Col. 7, lines 35-67 and Col. 8, lines 1-30).

Regarding claims 4, 16, 71, 83, 95, 107, 119, 131, 186, 198, 210, 222, 234, 246, 262, 272, 282, 292, 302, 314, 330, 340, 350, 360, and 370, Holden discloses a security routing methodology according to claim 1 and wherein information contained in an object is seleded from a set consisting of:

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an object content, an object header, an object source, and an object destination (Col. 10, lines 30-67 and Col. 11, lines 1-9).

Regarding claims 9, 11, 46, 57, 76, 78, 88, 90, 100, 102, 112, 114, 124, 126, 161, 172, 191, 193, 203, 205, 215, 217, 227, 229, 239, 241, 257-258, 267-268, 277-278, 287-288, 297-298, 307, 309, 325-326, 335-336, 345-346, 355-356, 365-366, and 381-382, Holden discloses a security routing methodology according to claim 1 and wherein analyzing said information comprises comparing said information against a security policy (Col. 9, lines 46-65).

Regarding claims 231, 259, 269, 279, 289, and 379, Holden discloses a system for routing an object according to claim 116 and wherein said object sensor includes a network sniffer (Col. 12, lines 55-67 and Col. 13, lines 1-67 and Col. 14, lines 1-45).

Regarding claims 299, 327, 337, 347, and 357, Holden discloses a system for routing an object according to claim 116 also comprising:

a first interface providing interaction with said at least one first communication network, and a second interface providing interaction with said at least one second communication network (Col. 5, lines 1-67 and Col. 6, lines 1-61).

Regarding claims 21, 27, 33, 39, 45, 55, 66, 136, 142, 148, 154, 160, 170, 181, 255, and 323, the prior art discloses a security routing methodology according to claim 13 and also comprising modifying the priority of said object (Col. 20, lines 59-65).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bhattacharya et al., (U.S. Patent No. 6,587, 466),
Bruins et al., (U.S. Patent No. 6,308,148),
Schneider et al., (U.S. Patent No. 6,105,027),
Wilford, (U.S. Patent No. 6,567,404), and
Shannon, (U.S. Patent No. 6,233,618).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arezoo Sherkat
Patent Examiner
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Sep. 22, 2005

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9/23/05